

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D.B. ZWIRN SPECIAL OPPORTUNITIES FUND L.P., in its capacity as Administrative Agent,

Plaintiff,
-against-

SIMÉUS FOODS INTERNATIONAL, INC., SIMÉUS HOLDINGS, INC., PTF ACQUISITION CORP., AND SIMÉUS FOODS INTERNATIONAL - FOREST CITY, INC.,

Defendants.

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DATE FILED: 8/27/08	
No. 08 Civ. 7162 (DAB)	

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by counsel for the parties, that the time by which defendants Siméus Foods International, Inc., Siméus Holdings, Inc., PTF Acquisition Corp., and Siméus Foods International – Forest City, Inc. (“Siméus”) must move against, answer or otherwise respond to the complaint is hereby extended to and through September 2, 2008. This Stipulation is without prejudice to Plaintiff’s right, if any, to move to remand this matter.

Dated: New York, New York
August 25, 2008

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By:

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SO ORDERED:

Deborah A. Battis
United States District Court Judge 8/27/08